

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Jonne R. WILLIAMS)
Serial No.: 09/668,144) Group Art Unit: 1731
Filed: September 25, 2000) Examiner: Colaianni, M.
For: IMPROVED METHOD OF TREATING) Atty. Dkt. No.: 04859.00006
TOBACCO TO REDUCE NITROSAMINE)
CONTENT, AND PRODUCTS PRODUCED)
THEREBY)

#3 1/2

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TECHNOLOGY CENTER 1700

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(d)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby petitions the Commissioner to make this application special under 37 C.F.R. §1.102(d) and under the guidelines of M.P.E.P. §708.02(VIII).

A Petition to Make Special was filed, and granted, in allowed parent application Serial No. 09/397,018. It is respectfully submitted that the present petition should be granted at least for the same reasons that the petition was granted in the parent application.

Specifically, a pre-examination search was conducted at the U.S. Patent and Trademark Office by James H. Knebel, a registered patent attorney and professional searcher who has a place of business at 4615 Tapestry Drive, Fairfax, Virginia 22032-3916. The search was conducted in the following classes and subclasses: 131/290, 292-304, 309, 310, 326, 347, and 352; 432/500; and 435/267. For each of these classes and subclasses, U.S. Patents were searched. The integrity of the search files was verified in the following classes and subclasses: 131/290, 296, 297, 300, 302, and 303; and 432/500.

In addition, an on-line literature search was conducted by Suzanne Elsoffer, a professional searcher who has a place of business at 194 Posnegansett Avenue, Warnick, Rhode

Island, 02888. Sources for the on-line literature search were (1) Chemical Abstracts; (2) AGRICOLA; (3) CABA (Commonwealth Agricultural Bureaux); and (4) Conference Papers Index.

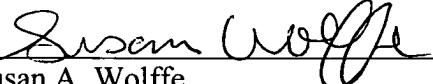
Further, prior art searches were performed by Examiners Ruller and Colaianni in allowed parent application Serial No. 09/397,018. The allowed claims in that application, like the claims in the subject application, are directed to a process of substantially preventing the formation of at least one nitrosamine in tobacco.

A check in the amount of \$130.00 for the Petition fee required under 37 C.F.R. §1.17(i)(2) is attached, as well as a supportive Information Disclosure Statement, including a completed form PTO-1449. If an additional fee is due or if an overpayment of fees is made, please charge or credit any difference to our Deposit Account No. 19-0733 as appropriate.

Applicant submits that the present Petition satisfies the guidelines set forth in M.P.E.P. §708.02(VIII). Applicant requests that the Petition be granted and the application be examined substantively.

Respectfully submitted,

Date: September 25, 2000

By: 
Susan A. Wolfe
Registration No. 33,568

BANNER & WITCOFF, LTD.
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(202) 508-9100

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Jonnie R. WILLIAMS) Attn: Director, Technology Center 1700
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TOBACCO TO REDUCE NITROSAMINE)
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THEREBY)

RESUBMISSION OF PETITION TO MAKE SPECIAL AND
SUPPORTING INFORMATION DISCLOSURE STATEMENT

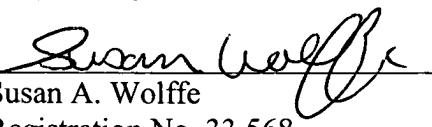
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant submitted a Petition to Make Special and supporting Information Disclosure Statement together with the filing of the above-captioned application on September 25, 2000. Apparently, that submission never was matched with the subject application. Attached hereto are copies of the Petition and Information Disclosure Statement, which have been amended to include the application Serial Number and the correct attorney docket number, but otherwise are identical to the September 25, 2000 submission. Also enclosed is a copy of the date-stamped post card showing receipt of the Petition, Information Disclosure Statement, and a check in the amount of \$130.00 for the Petition. It is believed that no additional fee is due. However, the Commissioner is authorized to charge or credit our Deposit Account No. 19-0733 as appropriate.

Respectfully submitted,

Date: May 2, 2001

By: 
Susan A. Wolffe
Registration No. 33,568

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2 Patent/Design

HAND CARRY Group/Section

Serial No. not assigned B&W # 4859.00006 Atty/Sec SAW/PMR/ms Date 9-25-00
 Inventor Williams Client Star Scientific

Title Improved Method of Treating Tobacco ... and products Produced Thereby

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- total pp Spec., including : # of Claims _____
 (# of independent claims _____); Abstract
 Foreign Priority on _____ Country, Appl. # and Date
 Priority on U.S. Prov. _____ B&W# _____
 Application : CIP Continuation Divisional
 Parent Ser. No. 09/397,018 B&W# 4859.84703
 Provisional App _____ pp Spec/Clms; Cover Sht.
 Declaration/PoA : Executed Unexecuted
 Drawings : Formal Informal
 # of distinct sheets 1 12 Figs. 11 Text
 Assignment w/PTO Cover Sheet
 Small Entity Declaration
 IDS w/PTO 1449 Prior Art w/fee
 Preliminary Amendment
 Response : Missing Parts dtd _____
 Request for Expedited Foreign Filing License
 Request for Corrected Filing Receipt

PATENT DESIGN

Bldg _____ Rm _____

Client Star Scientific

Atty/Sec SAW/PMR/ms Date 9-25-00

Claim for Priority w/Priority Doc Country, Appl. # and Date

Petition for Extension til _____

Amendment Response : OA dtd _____

Request for Approval of Drawing Changes

CPA Request w/Ext of Time : OA dtd _____

Notice of Appeal & Fee

Brief : Appeal & Fee Reply

Request for Oral Hearing

Issue Fee : Allowance dtd _____

Advance Patent Copies : # ordered _____

Check # 155422 for \$ 519.01 P/E

Check # 155421 for \$ 130.

Petition to Make Special 1

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